

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

DAVID JOE BRUESCH,)	
)	
Petitioner,)	
)	
v.)	No. 4:09CV169 JCH
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

This matter is before the Court on petitioner's pro se petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. The Court lacks jurisdiction to grant the writ, and the Court will dismiss it.

A district court's jurisdiction over writs filed pursuant to 28 U.S.C. § 2241 is geographically limited to the judicial district in which petitioner's custodian is located. 28 U.S.C. § 2241(a); Rumsfeld v. Padilla, 542 U.S. 426, 442 (2004). Petitioner is currently confined at Springfield MCFP in Springfield, Missouri. Petitioner's custodian, therefore, is located within the Western District of Missouri. Consequently, this Court lacks jurisdiction to grant the writ, and this case shall be dismissed pursuant to Fed. R. Civ. P. 12(h)(3).

Accordingly,

IT IS HEREBY ORDERED that petitioner's writ of habeas corpus pursuant to 28 U.S.C. § 2241 is **DISMISSED** for lack of jurisdiction.

An Order of Dismissal shall accompany this Memorandum and Order.

Dated this 26th Day of February, 2009.

/s/ Jean C. Hamilton
JEAN C. HAMILTON
UNITED STATES DISTRICT JUDGE